REMARKS

The Office Action mailed December 10, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-7, 9-42, and 44-53 are now pending in this application. Claims 8 and 43. Claims 1-8 and 39-42 stand rejected. Claims 9-38 and 43 are objected to. Claims 44-53 are allowed.

The rejection of Claims 1-3, 8, 39, and 40 under 35 U.S.C. §102(b) as being anticipated by Kuntman et al. (U.S. Pat. Pub. No.2002/0075171) is respectfully traversed.

Kuntman et al. describe a method and a device for predicting the intensity and location of a wake vortex relative to a host aircraft resulting from a proximate intruder aircraft. Specifically, Kuntman et al. describe Traffic Alert and Collision Avoidance System (TCAS) 1 coupled to a processor 4 that is capable of executing TCAS software. A control panel 7 for operating TCAS 1 and a panel 8 for displaying TCAS information are each coupled to a signal processor 5 within TCAS processor 4. During operation, wake vortex information is predicted after the location of an intruder aircraft is determined relative to the hose aircraft, and after the type of aircraft, the configuration, and the local atmospheric conditions are all determined. In one embodiment, the TCAS responds to an intruder aircraft entering a predetermined protected zone by placing warning coloration and a conventional Vertical Speed Indicator (VSI) on the display.

It is submitted that Kuntman et al. do not teach nor suggest allowing a user to at least partially modify at least one boundary of the monitoring zone. Applicants disagree with the assertion within the Office Action at page 3 that Kuntman et al. discloses at paragraph [0045] that a user may modify at least one boundary of the predetermined monitoring zone. Rather, Applicants respectfully submit that the "selection input by the operator or pilot" language summarized in paragraph [0045] is more fully described at paragraph [0084], for example. Specifically, at paragraph [0084] Kuntman et al. describe that the operator or pilot may select a desired aircraft and that the pilot "accepts or rejects the delineated icon to select the desired aircraft by operating accept/reject controls 142, 144" wherein the "screen icon representing the selected aircraft is again delineated by one or more of the above described delineators." At

paragraph [0082], for example, Kuntman et al. describe that the operator may input changing in the color of the icon representing the selected aircraft, forming a wireline-type delineator, flashing the selected icon alternatively on and off, and/or changing the shape of the selected icon. Accordingly, Applicants respectfully submit that Kuntman et al. do not describe nor suggest a system wherein the user may modify at least one boundary of the predetermined monitoring zone.

Moreover, Claim 1 recites a system for displaying aeronautical information, wherein the system comprises "a central processing unit...a display screen coupled to said central processing unit, said central processing unit being configured for executing the steps of: determining whether a target aircraft is within a pre~determined monitoring zone...said central processing unit is configured for allowing a user to at least partially modify at least one boundary of said monitoring zone."

Kuntman et al. do not describe nor suggest a system for displaying aeronautical information, wherein the system comprises a central processing unit and a display screen that is coupled to the central processing unit, wherein the central processing unit is configured to determine whether a target aircraft is within a predetermined monitoring zone, and to allow a user to at least partially modify at least one boundary of the monitoring zone. Specifically, Kuntman et al. do not describe nor suggest a system including a CPU that is configured to enable a user to at least partially modify at least one boundary of the monitoring zone. Rather, in contrast to the present invention, Kuntman et al. describe a system wherein the user is able to delineate a color of the icon representing the selected aircraft, form a wireline-type delineator, cause the selected icon to flash alternatively on and off, and/or change the shape of the selected icon. Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Kuntman et al.

Claims 2, 3, 8, 39, and 40 depend from independent Claim 1. When the recitations of Claims 2, 3, 8, 39, and 40 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3, 8, 39, and 40 likewise are patentable over Kuntman et al.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-3, 8, 39, and 40 be withdrawn.

The rejection of Claims 1-3, 8, 39, and 40 under 35 U.S.C. § 102(b) as being anticipated by Kuntman et al. (U.S. Pat. Pub. No.2002/0075171) is respectfully traversed.

The rejection of Claim 41 under 35 U.S.C. §102 as being unpatentable over Farmakis (U.S. Pat. No.6,314,366) is respectfully traversed.

Claim 43 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 43 has been canceled and independent Claim 41 has been amended to include the recitations from Claim 43. Accordingly, Applicants submit that Claim 41 is patentable over Farmakis.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claim 41 be withdrawn.

The rejection of Claims 4-7 under 35 U.S.C. §103 as being unpatentable over Kuntman et al. in view of Ammar et al. (U.S. Pat. No. 5,945,926) is respectfully traversed

Kuntman et al. is described above. Ammar et al. describe a weather radar 10 that facilitates detecting terrain and obstacles ahead of an aircraft. A gimbal control and position feedback circuit 26 positions an antenna 12 for controlling antenna sweep ahead of the aircraft. The antenna sweep pattern is controlled by a data and video processor 48. Processor 48 provides signals to a display unit 54 to display terrain, obstacle, and/or weather data to an operator within the aircraft.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Kuntman et al. nor Ammar et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would

not be obvious to combine Kuntman et al. with Ammar et al., because there is no motivation to combine the references suggested in the art. Additionally, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Rather, only the conclusory statement that "it would have been obvious to one of ordinary skill in the art to combine the aforementioned inventions in order to supplement the traffic alert and collision avoidance system..." suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicant's disclosure. In re Vaeck , 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is clearly based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Kuntman et al. is cited for teaching a system for displaying aeronautical information, wherein the system includes a central processing unit and a display screen coupled to the central processing unit, and Ammar et al. is only cited for teaching that a predetermined monitoring zone is adjacent a front of the aircraft. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is

impermissible, and for this reason alone, Applicants request that the Section 103 rejection be withdrawn.

Furthermore, if art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990). In light of this standard, it is respectfully submitted that the cited are, as a whole, is not suggestive of the presently claimed invention. Specifically, Applicants respectfully submit that both Kuntman et al. and Ammar et al. teach away from the present invention, and each other, and as such, there is no suggestion or motivation to combine Kuntman et al. with Ammar et al. to render the present invention obvious. Specifically, no combination of Kuntman et al. and Ammar et al. describes or suggests a system including a CPU that displays aeronautical information and is configured to enable a user to at least partially modify at least one boundary of the monitoring zone.

Moreover, and to the extent understood, no combination of Kuntman et al. and Ammar et al. describes or suggests the claimed invention. Specifically, Claim 1 recites a system for displaying aeronautical information, wherein the system comprises "a central processing unit...a display screen coupled to said central processing unit, said central processing unit being configured for executing the steps of: determining whether a target aircraft is within a pre~determined monitoring zone...said central processing unit is configured for allowing a user to at least partially modify at least one boundary of said monitoring zone."

No combination of Kuntman et al. and Ammar et al. describes or suggests a system for displaying aeronautical information, wherein the system comprises a central processing unit and a display screen that is coupled to the central processing unit, wherein the central processing unit is configured to determine whether a target aircraft is within a pre~determined monitoring zone, and to allow a user to at least partially modify at least one boundary of the monitoring zone. Specifically, no combination of Kuntman et al. and Ammar et al. describes or suggests a system including a CPU that is configured to enable a user to at least partially modify at least one boundary of the monitoring zone. Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Kuntman et al. in view of Ammar et al.

Claims 4-7 depend from independent Claim 1. When the recitations of Claims 4-7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 4-7 likewise are patentable over Kuntman et al. in view of Ammar et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 4-7 be withdrawn.

The rejection of Claim 42 under 35 U.S.C. §103 as being unpatentable over Farmakis et al. in view of Kuntman et al. is respectfully traversed

Claim 43 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 43 has been canceled and independent Claim 41 has been amended to include the recitations from Claim 43. Accordingly, Applicants submit that Claim 41 is patentable over Farmakis in view of Kuntman et al.

Claim 42 depends from independent Claim 41. When the recitations of Claim 42 are considered in combination with the recitations of Claim 41, Applicants submit that dependent Claim 42 likewise is patentable over Farmakis in view of Kuntman et al.

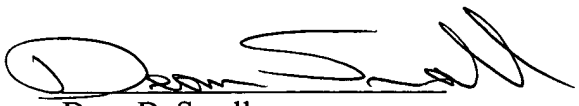
For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 42 be withdrawn.

Claims 9-38 and 43 were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9-38 depend, directly or indirectly, from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 9-38 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 9-38 likewise in condition for allowance.

With respect to Claim 43, Claim 43 has been canceled and independent Claim 41 has been amended to include the recitations from Claim 43.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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